

REMARKS

The present response accompanies a Request for Continued Examination (RCE). Claims 1-16, 23-34, 49, 50, and 52-61 are currently pending in the application. Claims 1, 3, 7-9, 11, 12, 14-16, 23, 24, 30-34, 49 and 52-61 have been amended. Claims 62 and 63 have been added to further define the claimed embodiments. Claims 10 and 13 have been canceled. Claims 17-22, 35-48, and 51 previously were canceled. Therefore, claims 1-9, 11-12, 14-16, 23-34, 49, 50, and 52-64 will be pending in the application after entry of the forgoing claim amendments.

Rejection under 35 U.S.C. §102(b)

Independent claim 1 stands rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,411,407 (“Maxham”). Without conceding the merits of the rejection, Applicants have amended claim 1 in an effort to facilitate prosecution.

As amended, claim 1 recites, in part, an amplifier station that includes first and second optical coupler/decouplers. The first optical coupler/decoupler ***decouples a bidirectional signal and a service channel signal from a fiber span signal***. The second optical coupler/decoupler ***decouples a first data signal from the bidirectional signal***. An optical coupler combines the first signal, which is propagating in a first direction, and a third data signal, which is propagating in a second direction, to produce a combined signal. The combined signal is then co-directionally amplified by the optical amplifier. As such, the recited first data signal ***does not include the service channel signal*** because the service channel signal has been decoupled from the fiber span signal by the first optical coupler/decoupler.

Maxham, by contrast, discloses combining and amplifying long-band and short-band signals, each of which ***include supervisory channel signals***. More specifically, as shown in Maxham’s FIG. 4, the long-band and short-band signals are combined in a combiner 52 and then amplified by a first stage of an amplifier 56 (Maxham at col. 5, lines 16-20). Maxham’s SCW Filt. 1 and SCW Filt. 2 each filter respective ***supervisory channel signals*** from the long-band and short-band signals (*id.* at col. 5, lines 21-25). The filtered traffic channels of the long-band and short-band signals are passed-through via a line 61 (*id.* at col. 5, lines 32-

33). Thus, the long-band and short-band signals combined at Maxham's combiner 52 and amplified by Maxham's amplifier 56 each include supervisory channel signals.

Accordingly, Applicants respectfully submit that claim 1 patentably defines over Maxham because, *inter alia*, Maxham does not teach or suggest a first coupler/decoupler that separates a bidirectional signal and a service channel signal from a fiber span signal and a second optical coupler/decoupler that separates a first data signal from the bidirectional signal before the first data signal is combined and co-directionally amplified. Applicants respectfully request, therefore, withdrawal of the rejection of claim 1 under 35 U.S.C. §102(b).

Claims 31 and 55 stand rejected under 35 U.S.C. §102(b) as being anticipated by Maxham. Without conceding the merits of the rejection, Applicants have amended the claims in an effort to facilitate prosecution.

In particular, amended claim 31 recites, in part, ***isolating a bidirectional signal and a service channel signal from a fiber span signal, isolating an eastbound data signal from the bidirectional signal***, power matching the eastbound data signal and a westbound data signal to produce power-matched signals, combining the power-matched signals to produce a combined signal, and co-directionally amplifying the combined signal to produce an amplified signal.

Similarly, amended claim 55 recites, in part, ***means for isolating a bidirectional signal and a service channel signal from a fiber span signal, means for isolating an eastbound data signal from the bidirectional signal***, means for power matching the eastbound data signal and a westbound data signal to produce power-matched signals, means for combining the power-matched signals to produce a combined signal, and means for co-directionally amplifying the combined signal to produce an amplified signal.

Thus, like the first data signal recited in claim 1, the eastbound data signal recited in claims 31 and 55 does not include the service channel signal.

Accordingly, Applicants respectfully submit that claims 31 and 55 patentably define over Maxham for at least the same reasons discussed above with respect to claim 1. Applicants respectfully request, therefore, withdrawal of the rejection of claims 31 and 55 under 35 U.S.C. §102(b).

Claims 2, 3, 7, 8, 24, 30, 49, 50, 57, 59 and 60 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Maxham. As claims 2, 3, 7, 8, 24, 30, 49 and 50 depend from claim 1, and claims 57, 59 and 60 depend from claim 55, Applicants respectfully submit that the dependent claims likewise patentably define over Maxham for at least the same reasons discussed above. Applicants respectfully request, therefore, withdrawal of the rejection of the dependent claims under 35 U.S.C. § 102(b).

Rejection under 35 U.S.C. §103(a)

Claims 4-6, 32, 33 and 56 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Maxham in view of U.S. Patent Application Publication No. 2002/0027703 (“Kinoshita”). Claims 9-16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Maxham in view of U.S. Patent No. 6,757,098 (“Berg”). Claims 25-29 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Maxham. Claims 34, 52-54, 58 and 61 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Maxham in view of U.S. Patent No. 6,480,312 (“Okuno”).

As claims 4-6, 9, 11, 12 and 14-16 depend from claim 1, claims 25-29, 32-34 and 52-54 depend from claim 31, and claims 56, 58 and 61 depend from claim 55, Applicants respectfully submit that the dependent claims patentably define over the cited references for at least the same reasons discussed above. Applicants respectfully request, therefore, withdrawal of the rejections of the dependent claims under 35 U.S.C. §103(a).

New Claims

As noted above, claims 62 and 63 have been added to further define the claimed embodiments. As claim 62 depends from claim 31, and claim 63 depends from claim 55, Applicants respectfully submit that the newly added dependent claims patentably define over the cited references for at least the same reasons discussed above.

Claim Objections

Claim 23 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. Applicants appreciate the Examiner’s recognition of allowable subject matter.

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**PATENT
REPLY FILED UNDER EXPEDITED
PROCEDURE PURSUANT TO
37 CFR § 1.116**

CONCLUSION

In view of the foregoing, Applicants respectfully submit that the claims are allowable and that the present application is in condition for allowance. Reconsideration of the application and an early Notice of Allowance are respectfully requested. In the event that the Examiner cannot allow the present application for any reason, the Examiner is encouraged to contact the undersigned attorney, Bryan T. Giles, at (215) 564-8954 to discuss the resolution of any remaining issues.

Respectfully submitted,

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